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Summary record of the 36th meeting
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Chairman: Effah-Apenteng ..... (Ghana)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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The meeting was called to order at 2.10 p.m.

Agenda item 136: Financing of the United Nations Transitional Administration in East Timor (*continued*) (A/C.5/56/L.20)

Draft resolution A/C.5/56/L.20

1. **Mr. Bhattarai** (Nepal), speaking as the coordinator of the informal consultations on draft resolution A/C.5/56/L.20, entitled "Financing of the United Nations Transitional Administration in East Timor", said that a consensus had been reached on the text and he hoped the Committee would adopt it without a vote.

2. **Mr. Yeo** (Director, Peacekeeping Financing Division) recalled that he had informed the participants in the informal consultations that, regrettably, the dollar amounts had been left blank in all five of the draft resolutions to be considered at the current meeting because the Committee had not yet taken a final decision on the additional support account requirements to be authorized. However, when the Committee's report to the General Assembly was prepared, the figures would be inserted, provided that the Committee took a decision on the support account at the current part of the fifty-sixth session. An information note on how the funds had been prorated would also be submitted to the General Assembly.

3. *Draft resolution A/C.5/56/L.20 was adopted.*

Agenda item 137: Financing of the United Nations Mission in Ethiopia and Eritrea (*continued*) (A/C.5/56/L.18)

Draft resolution A/C.5/56/L.18

4. **Mr. Kendall** (Argentina), speaking as the coordinator of the informal consultations on draft resolution A/C.5/56/L.18, entitled "Financing of the United Nations Mission in Ethiopia and Eritrea", said that a consensus had been reached on the text and he hoped the Committee would adopt it without a vote.

5. *Draft resolution A/C.5/56/L.18 was adopted.*

Agenda item 141: Financing of the United Nations Mission in Sierra Leone (*continued*) (A/C.5/56/L.16)

Draft resolution A/C.5/56/L.16

6. **Mr. Wins** (Uruguay), speaking as the coordinator of the informal consultations on draft resolution A/C.5/56/L.16, entitled "Financing of the United Nations Mission in Sierra Leone", said that a consensus had been reached on the text and he hoped the Committee would adopt it without a vote.

7. *Draft resolution A/C.5/56/L.16 was adopted.*

Agenda item 158: Financing of the United Nations Organization Mission in the Democratic Republic of the Congo (*continued*) (A/C.5/56/L.19)

Draft resolution A/C.5/56/L.19

8. **Mr. Wins** (Uruguay), speaking as the coordinator of the informal consultations on draft resolution A/C.5/56/L.19, entitled "Financing of the United Nations Organization Mission in the Democratic Republic of the Congo", said that a consensus had been reached on the text and he hoped the Committee would adopt it without a vote.

9. *Draft resolution A/C.5/56/L.19 was adopted.*

Agenda item 134: Financing of the United Nations peacekeeping forces in the Middle East (*continued*)

(b) United Nations Interim Force in Lebanon (*continued*) (A/C.5/56/L.17)

Draft resolution A/C.5/56/L.17

10. **The Chairman** recalled that draft resolution A/C.5/56/L.17, entitled "Financing of the United Nations Interim Force in Lebanon", had been introduced at the Committee's 34th meeting.

11. **Mr. Wittmann** (United States of America) said he regretted that no consensus had been reached on the draft resolution owing to the outstanding issue which, for the past five years, had prevented the Committee from achieving consensus on the draft resolutions on the financing of the United Nations Interim Force in Lebanon (UNIFIL). Some of the language included in the text was inappropriate for a resolution on funding, and such resolutions should not be used to pursue claims against a particular Member State. He therefore requested that a recorded vote in one block be taken on

the fourth preambular paragraph and operative paragraphs 3, 4 and 13 of the draft resolution.

12. **Mr. Assaf** (Lebanon), speaking in explanation of vote before the voting, said that he would vote in favour of the paragraphs in question. According to the report of the Military Adviser of the Secretary-General (S/1996/337), Israel's bombing of the UNIFIL site in Lebanon had been premeditated, had wounded many peacekeepers and had completely destroyed the UNIFIL premises. The General Assembly and the Security Council, in successive resolutions, had highlighted the need to ensure the safety, security and protection of international personnel throughout the world, and paragraph 20 of the draft resolution under consideration referred to the need to ensure the safety and security of UNIFIL personnel. The Secretary-General, in his recent report on the safety and security of humanitarian personnel and protection of United Nations personnel (A/56/384), had indicated that Member States must signal a clear message that humanitarian workers could not be attacked with impunity. If attacks on humanitarian workers could not go unpunished, he did not see how the 1996 attack on international peacekeepers could go unpunished. Holding Israel accountable for its aggression would deter it and all other States from committing such heinous acts in the future. The decision to sanction Israel for attacking an international peacekeeping force was fully consistent with the principles of international law and the rules of international responsibility. He therefore appealed to the States in which international law had originated and developed — the homelands of Montesquieu, Rousseau and others — to vote in favour of the paragraphs in question instead of following their traditional practice of abstaining from the voting.

13. *At the request of the representative of the United States of America, a recorded vote in one block was taken on the fourth preambular paragraph and operative paragraphs 3, 4 and 13 of the draft resolution.*

In favour:

Algeria Angola, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Chile, China, Colombia, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mauritius, Mexico, Morocco, Myanmar, Nepal, Nigeria, Oman, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Tunisia, United Arab Emirates, United Republic of Tanzania, Venezuela, Yemen, Yugoslavia, Zambia.

Against:

Israel, United States of America.

Abstaining:

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Iceland, Ireland, Japan, Latvia, Liechtenstein, Lithuania, Malta, Netherlands, New Zealand, Nicaragua, Norway, Poland, Portugal, Republic of Korea, San Marino, Slovakia, Sweden, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

14. *The fourth preambular paragraph and operative paragraphs 3, 4 and 13 of draft resolution A/C.5/56/L.17 were adopted by 69 votes to 2, with 40 abstentions.*

15. **Mr. Wittmann** (United States of America), speaking in explanation of vote before the voting, said that the United States fully supported the important work of UNIFIL. Regrettably, however, the paragraphs of draft resolution A/C.5/56/L.17 to which his delegation objected changed the nature of the text and made it fundamentally different from all the other draft resolutions on peacekeeping operations considered by the Committee. His delegation was therefore unable to support the draft resolution.

16. *At the request of the representative of the United States of America, a recorded vote was taken on the draft resolution as a whole.*

In favour:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belgium, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chile, China, Colombia, Côte d'Ivoire,

Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Iceland, India, Indonesia, Ireland, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Malaysia, Maldives, Malta, Mauritius, Mexico, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against:

Israel, United States of America.

Abstaining:

None.

17. *Draft resolution A/C.5/56/L.17 as a whole was adopted by 110 votes to 2.*

18. **Mr. Adam** (Israel) said that the events surrounding the incident at Qana were well known to the Committee: the Hizbollah terrorist organization had used a site in close proximity to a United Nations compound from which to launch rockets at villages and cities in southern Israel. It had been fully aware that Israel would be forced to retaliate and that the safety of civilians in the United Nations compound would be imperilled. His delegation maintained that responsibility for the incident lay entirely with the Hizbollah terrorists. He recalled that Hizbollah was included in the list of terrorist organizations issued by the United States Department of State. It operated in the Bekaa Valley of Lebanon and had established cells in Africa, Asia, Europe and North and South America.

19. The attempt to place the full financial burden resulting from the Qana incident on Israel was an unprecedented violation of the principle of collective responsibility, which dictated that costs resulting from United Nations peacekeeping operations should be shared equally among all Member States.

20. His delegation regretted the politicization of the Committee. The inclusion in the draft resolution of politically motivated elements had prevented its adoption by consensus, while the manipulation of the Committee to suit narrow political objectives was having a debilitating long-term effect on its ability to conduct its business in a professional and productive manner.

21. Lastly, he wished to reiterate that Israel was cooperating fully with UNIFIL and supported the approval of its budget. He was hopeful that, in the months ahead, the Force would be able to complete all aspects of its mandate, since the return of peace and security along the Israel-Lebanon border would be of benefit to all.

22. **Mr. Tilemans** (Belgium), speaking on behalf of the European Union and the associated countries Bulgaria, Cyprus, the Czech Republic, Latvia, Lithuania, Malta, Poland and Turkey, said that the position of the European Union on the financial aspects related to the Qana incident was based on a number of elements: the costs resulting from the incident were of a specific kind; an appeal to have the costs financed through voluntary contributions would be welcome; the costs should be kept within the budget; and the financing of United Nations peacekeeping operations should continue to be a collective responsibility.

23. The delegations on whose behalf he spoke had abstained in the vote on the fourth preambular paragraph and operative paragraphs 3, 4 and 13 of the draft resolution because they considered that the text, as drafted, was inappropriate in the context of a resolution dealing with the financing of UNIFIL. The broader political aspects of the events, including the Qana incident, had been debated in the General Assembly in April 1996 and had resulted in the adoption of resolution 50/22 C. The European Union had made its position on those aspects clear at the time and wished to emphasize that the consultations in the Fifth Committee should have been confined to the budgetary aspects of the item.

24. **Mr. Fujii** (Japan) said that his delegation had voted in favour of the draft resolution as a whole in order to discharge its responsibility as a Member of the Organization for the funding of the United Nations peacekeeping operations. He regretted the Committee's failure to reach a consensus on the draft text, thereby necessitating a vote.

25. **Mr. Assaf** (Lebanon) said that he wished to assure the representative of Israel that the day would come when UNIFIL would complete its mandate in southern Lebanon. His delegation was grateful to the Force and deeply regretted the loss of life among its personnel. It viewed the UNIFIL observers as comrades in the liberation of southern Lebanon.

26. While Article 17 of the Charter provided that the expenses of the Organization should be borne by the Members, that surely did not mean that one Member State could deliberately bombard a United Nations compound and then invoke the principle of collective responsibility with respect to the apportionment of the resulting expenses. As to the claim that the bombardment had been accidental, the report of the Secretary-General's Military Adviser (S/1996/337) stated that during the shelling, there had been a perceptible shift in the weight of fire from the declared target to the United Nations compound.

27. His delegation did not wish to politicize the Committee. However, as the Secretary-General had stated in his report on the safety and security of humanitarian personnel and protection of United Nations personnel (A/56/384), the perpetrators of attacks upon such personnel must not go unpunished. An amount had been specified by the Secretary-General as compensation to the Organization for the damage caused to the UNIFIL headquarters by Israel, and Israel must pay. He had not referred to compensation for the Lebanese civilians killed and injured, a matter which his delegation would raise in another forum.

28. **Mr. Fox** (Australia), speaking also on behalf of Canada and New Zealand, expressed satisfaction that the draft resolution provided for the continued financing of UNIFIL. He, however, regretted the Committee's failure to achieve a consensus. The draft paragraphs on which a separate vote had been taken undermined the Organization's longstanding budgetary principles, which were based on collective responsibility, and continued the unfortunate precedent set several years earlier of including political elements in a draft resolution on the financing of a peacekeeping mission. He noted that, as at 15 November 2001, only 15.5 per cent of Member States had paid their assessed contributions to UNIFIL and he urged all Member States that had not yet done so to pay their outstanding assessed contributions without delay.

29. **Mr. El Atrash** (Libyan Arab Jamahiriya) said that, where a State committed acts of aggression that impinged on the sovereignty or territorial integrity of another State or affected the safety of United Nations personnel, the consequences of those acts were the responsibility of the aggressor State. There was a regrettable double standard in that regard, with some States being required to pay compensation while others were not.

30. **Mr. Nakkari** (Syrian Arab Republic) said that his delegation wished to align itself with the statements made by the representatives of Lebanon and the Libyan Arab Jamahiriya. The United Nations compound at Qana had been deliberately targeted and attacked, as indicated in the report of the Military Adviser of the Secretary-General (S/1996/337), and compensation for the damage caused must be paid by the State responsible. His delegation was convinced that Israel had withdrawn from southern Lebanon only because it had been compelled to do so by the Lebanese resistance, including Hizbollah. It was shameful to call Hizbollah a terrorist organization — its members had been defending their national soil against an occupying Power.

31. **Mr. Adam** (Israel), speaking in exercise of the right of reply, said that his delegation would respond to the representatives of Lebanon and the Syrian Arab Republic in the General Assembly, using other paragraphs from the report of the Military Adviser of the Secretary-General which they had chosen not to cite.

32. **Mr. Assaf** (Lebanon), speaking in exercise of the right of reply, said that the representative of Israel should indicate to the Committee the paragraphs to which he was referring.

33. **Mr. Adam** (Israel) said that, since his delegation objected to the use of the Fifth Committee as a forum for political debate, it would respond to the representative of Lebanon in the General Assembly.

Other matters

34. **Mr. Lavrov** (Russian Federation) said that, in November 1995, his Government had adopted a decision regarding the payment in full over a seven-year period of the arrears of the Russian Federation to both the regular and peacekeeping budgets of the United Nations. Notwithstanding the serious economic difficulties faced by the Russian Federation, it had

implemented that decision consistently and had paid more than $100 million to the United Nations in 2001 alone. Earlier that day, it had transferred to the United Nations more than $39 million, nearly $37 million of which had been earmarked for the final payment of its arrears in respect of the operation in Somalia. As a result, the Russian Federation had now paid off all its arrears to the peacekeeping budget and had done so one year ahead of schedule. It had no regular budget arrears. His delegation wished to reiterate that compliance by all Member States without exception with their obligation under the Charter to pay their assessed contributions was the main condition for ensuring the financial stability and smooth functioning of the Organization and the principal guarantee of its financial health.

The meeting rose at 3 p.m.